

UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION

UNITED STATES OF AMERICA )  
v. )  
EMONNIE DION BRANCH )

**DEFENDANT'S UNOPPOSED MOTION TO CONTINUE TRIAL**

Defendant Emonnie Branch respectfully moves to continue his trial date and associated filing deadlines by about three (3) months. His trial date is **August 7, 2012**. This is his first trial setting. The reasons for the requested continuance are as follows:

1. 18 U.S.C. § 3161(h)(7)(A) provides, in pertinent part, that any period of delay resulting from a continuance granted on the basis of a court's findings that the ends of justice served by granting of a continuance outweigh the best interests of the public and the defendant a speedy trial shall be excluded in computing the time within which the trial must commence.

2. The factors that a judge shall consider in determining whether to grant a continuance are found at 18 U.S.C. § 3161(h)(7)(B)(iv). One such factor is whether the denial of a continuance would deny counsel for the defendant “the reasonable time necessary for effective preparation, taking into account the exercise of due diligence.”

3. In the present case, the interest of justice served by the granting of a continuance outweigh the best interests of the public and the defendant in a speedy trial. Additionally, the denial of a continuance in the present case would deny the defendant the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. Counsel has met with Branch several times and has engaged in substantial investigation. Despite due diligence, counsel has not had sufficient time to complete the investigation and preparation of the defense, and counsel needs additional time to prepare for trial.